

REASONS humbly offered against Passing the Bankrupts Bill.

THis Bill is brought in by procurement, and at the Charge of several Bankrupts, purposely to serve their Interests, and to defraud their Creditors, and no good for the Nation can be expected from such a Bill.

If this Bill pass, it will promote Fraud, and discourage all publick Commerce; for the Bankrupts either by Friends and Relations, or by pretended Debts, or by private Contrivances with some of their Creditors, will find out ways to keep their Estates, and to defraud their Creditors at pleasure; and if it is not left to a Court of Equity to judge of Affairs, there can be no help.

According to the Bill, If a Bankrupt sets up one great Debt with a Friend or Relation, that Debt, and as many small Creditors for 20 s. a piece as will make up the Major part, shall be binding to the Rest.

A Bankrupts Estate by the Laws hitherto, belongs to the Creditors till the Debts are Satisfied, But this Bill will take away the Creditors Property, and the Prisoners Bill which is now passing, compells the Prisoners to deliver up the Effects for use of their Creditors, and Bankrupts in reason ought not to be better qualified.

If such a Bill pass, it will be convenient not to have a retrospect, but to be only for the time to come, that People may be forewarned before they are destroyed. It will be also reasonable, that such Creditors of Bankrupts, who are Ruined by its passing, and so cannot pay their own Debts, should have the same Benefit as the Bankrupts, although they are not Traders, and so not liable to Bankruptcy.

The Bankrupts in their printed Paper give out, that because they cannot have their liberty in *England*, they Transport themselves, their Families, and Estates, into Parts Remote, and conceal their Estates, which shews the Statutes which are already made against them are not strong enough; But by this Bill they will have liberty sufficient to Cheat in *England* without going further: They also in their Paper give an Account how other Nations do as to the Majority, But they forget to mention the Punishment which is inflicted upon Bankrupts by other Nations. Instead of this Bill, if further Provisions were to be made, to discover and detect all the Bankrupts Estates, and that the same might go to the Creditors (to whom it justly belongs) and to make it Felony for the Bankrupts, or their Accomplices, to conceal the same, and also to lessen the great Charges and Expence, which attend the Execution of a Commission of Bankruptcy; the Trade of the Nation might thereby be secured, which by passing this Bill will inevitably be destroyed.

✧ Sir Robert Vyner, in June 1685. got a Bill brought in to the same effect as this Bill is, which was read a Second time and Committed: Sir Robert and his Son are both since Dead, and Sir Robert's Executor is supposed to be concerned in bringing in this Bill.

But if any such Bill is Passed, It is Humbly prayed, that the Concerns of Sir Robert may be Excepted, and that his Estate may not go to enrich his Executor, nor to be distributed amongst his Relations and Hospitals according to his Will; but that his Estate may be all discovered, (the Executor having hitherto refused to give in any Inventory, or to answer any Bill in *Chancery*) and that the Estate Real and Personal, which is very Great, (being sufficient to satisfy those Creditors which have Sign'd their Proposals, and to pay other Creditors their full Debts) may be applied to the paying of Sir Robert's just Debts, Sir Robert being an exceeding great Gainer by the late King *Charles* the 2^d. and having much abused his late Majesty by his Pretences to the contrary, as will be plainly made appear.

✧ Sir Robert not long before his Death, Confessed a Statute for 20 Thousand Pounds, to the same Person as is his Executor, and also Confessed a Judgment to one *Thomas Kennise*, for 2500 l. and another Judgment to Mr *Benjamin Giles*, for 1500 l. And all these Things were only Pretended, and so to cover the Estate; and if this Bill passes, there will be nothing else but such Tricks and Contrivances.